

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

ROBERT MENENDEZ, *et al.*,

Defendants.

Criminal Action No. 23-490 (SHS)

*Document electronically filed*

**CERTIFICATION OF  
LAWRENCE S. LUSTBERG IN SUPPORT  
OF MR. HANA'S OMNIBUS PRETRIAL  
MOTIONS TO DISMISS**

**I, LAWRENCE S. LUSTBERG**, hereby certify as follows:

1. I am an attorney-at-law, admitted to the bars of the States of New York and New Jersey and admitted to practice in the United States District Court for the Southern District of New York, among other Courts. I am also a Director with Gibbons P.C., counsel for Defendant Wael Hana in the above-captioned matter.

2. I submit this Certification based upon my personal knowledge and review of the attached relevant documents in support of Mr. Hana's Omnibus Pretrial Motions to Dismiss.

3. Attached hereto as Exhibit A is a true and correct copy of [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The Government designated Exhibit A and its contents as "Attorney's Eyes Only" under the October 6, 2023 Protective Order, ECF No. 55. Accordingly, Exhibit A is being filed under seal.

4. Attached hereto as Exhibit B is a true and correct copy of [REDACTED]

[REDACTED] The Government designated Exhibit B and its contents as “Attorney’s Eyes Only” under the October 6, 2023 Protective Order, ECF No. 55. Accordingly, Exhibit B is being filed under seal.

5. Attached hereto as Exhibit C is a true and correct copy of [REDACTED]

[REDACTED] The Government designated Exhibit C and its contents as “Attorney’s Eyes Only” under the October 6, 2023 Protective Order, ECF No. 55. Accordingly, Exhibit C is being filed under seal.

6. Attached hereto as Exhibit D is a true and correct copy [REDACTED]

[REDACTED] The Government designated Exhibit D and its contents as “Attorney’s Eyes Only” under the October 6, 2023 Protective Order, ECF No. 55. Accordingly, Exhibit D is being filed under seal.

7. Attached hereto as Exhibit E is a true and correct copy of [REDACTED]

[REDACTED] The Government designated Exhibit E and its contents as “Attorney’s Eyes

Only” under the October 6, 2023 Protective Order, ECF No. 55. Accordingly, Exhibit E is being filed under seal.

8. Attached hereto as Exhibit F is a true and correct copy of [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] The Government designated Exhibit F and its contents as “Attorney’s Eyes Only” under the October 6, 2023 Protective Order, ECF No. 55. Accordingly, Exhibit F is being filed under seal.

9. Attached hereto as Exhibit G is a true and correct copy of [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] The Government designated Exhibit G and its contents as “Attorney’s Eyes Only” under the October 6, 2023 Protective Order, ECF No. 55. Accordingly, Exhibit G is being filed under seal.

10. Attached hereto as Exhibit H is a true and correct copy [REDACTED]

[REDACTED]  
[REDACTED] The information contained therein forms the basis for Mr. Hana’s motion to suppress under *Franks v. Delaware*, 438 U.S. 154 (1978). The Government designated Exhibit H and its contents as “Attorney’s Possession Only” under the October 6, 2023 Protective Order, ECF No. 55. Accordingly, Exhibit H is being filed under seal.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: January 15, 2024

By: s/ Lawrence S. Lustberg

Newark, New Jersey

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